

The Honorable Robert J. Bryan

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

BOEING EMPLOYEES' CREDIT UNION, )  
a Washington corporation, )

Plaintiff, )

v. )

P/C D'AMORE, Official Number )  
1024632, her engines, tackle, apparel, )  
furniture and equipment, *In Rem*, and )  
MONTY SISSON and SHERELLE )  
SISSON, husband and wife, and their )  
marital community, *In Personam*, )

Defendants. )

IN ADMIRALTY

NO. C09-5254-RJB

DEFAULT JUDGMENT *IN REM*,  
JUDGMENT FORECLOSING  
PREFERRED MARINE MORTGAGE  
AND ORDER OF SALE

THIS MATTER having come on regularly upon the motion of plaintiff, and the Court, having considered the records and files herein and the Affidavit of Counsel submitted with the motion, and an Order of Default having been entered, now makes the following findings:

1. Plaintiff is entitled to a Default Judgment against the defendant

1 vessel, no answer or statement of right or interest having been filed; and

2         2.       Plaintiff's claim under its preferred marine mortgage is superior to  
3 that of any other claimant.

4                 NOW THEREFORE, IT IS

5                 ORDERED that the preferred marine mortgage on the P/C D'AMORE,  
6 Official Number 1024632, her engines, tackle, apparel, furniture and equipment, in  
7 favor of Boeing Employees' Credit Union, is foreclosed; and it is further

8                 ORDERED that Boeing Employees' Credit Union shall have judgment  
9 against the P/C D'AMORE, Official Number 1024632, her engines, tackle, apparel,  
10 furniture and equipment *In Rem* for \$129,340.54, plus interest at the rate of \$26.72  
11 per day from April 13, 2009 through the date of entry of this judgment, plus  
12 attorneys' fees and costs and administrative expenses as subsequently approved by  
13 the Court; and it is further

14                ORDERED that the judgment granted shall bear interest at the federal  
15 rate from the date of granting of this judgment until paid; and it is further

16                ORDERED that the U. S. Marshal shall, pursuant to the rules of the  
17 United States District Court for the Western District of Washington, cause the P/C  
18 D'AMORE, Official Number 1024632, her engines, tackle, apparel, furniture and  
19 equipment, to be condemned and sold at public auction to the highest and best  
20 bidder, the sale to be held alongside the vessel on a date and at a time satisfactory  
21 to the U. S. Marshal to be determined after entry of this Order; and it is further

22                ORDERED that at such sale, Boeing Employees' Credit Union,  
23 plaintiff, is authorized to bid in any part of the judgment and accrued interest here  
24 awarded without cash deposit, and that, in the event the bid of Boeing Employees'  
25 Credit Union, plaintiff, is the highest and best bid, the amount of such bid shall be

1 credited on the judgment here awarded; and it is further

2 ORDERED that the U. S. Marshal shall deposit the proceeds of the  
3 sale, if any, in the Registry of the Court and the Clerk shall, after having paid all  
4 costs and administrative expenses as approved by subsequent Order, pay to Boeing  
5 Employees' Credit Union, plaintiff, so much of the balance remaining as is  
6 necessary to satisfy the judgment here awarded, and the clerk shall retain the  
7 remainder of the proceeds, if any, in the Registry of the Court subject to further  
8 Order.

9 DATED this 11th day of August, 2009.

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12 ROBERT J. BRYAN  
13 United States District Judge

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15 Presented by:

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17 \_\_\_\_\_  
18 Stan Loosmore, WSBA #6011  
19 Attorney for Plaintiff

20 Approved by:

21  
22 \_\_\_\_\_  
23 for U. S. Marshal  
24 Western District of Washington

25 223-09009-7p